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TO : ATTN: EXAMINER NANCY VOGEL

COMPANY : UNITED STATES PATENT AND TRADEMARK OFFICE

FAX NO. : 703-872-9306

FROM : ALBERT WAI-KIT CHAN

DOCKET : BERMUDES, ET AL., COMPOSITIONS AND METHODS FOR DELIVERY OF AN AGENT USING ATTENUATED SALMONELLA CONTAINING PHAGE, U.S. SERIAL NO.10/790,586, FILED MARCH 1, 2004, CONTINUATION OF U.S. SERIAL NO. 10/076,117, FILED FEBRUARY 13, 2002, WHICH IS A CONTINUATION APPLICATION OF U.S. SERIAL NO. 09/645,418, FILED AUGUST 24, 2000, WHICH CLAIMS PRIORITY OF U.S. PROVISIONAL APPLICATION NO. 60/150,928, FILED AUGUST 26, 1999 - DKT. #872-A-US

TOTAL NUMBER OF PAGES, INCLUDING COVER SHEET : 8

DATE : JANUARY 7, 2005

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Message

Applicants: BERMUDES, et al.
Client: Vion Pharmaceuticals, Inc.
File No.: 872-A-US
Date: January 7, 2005

COMMUNICATION IN RESPONSE TO JANUARY 4, 2005 NOTICE OF NON-COMPLIANT AMENDMENT, for BERMUDEs, et al., COMPOSITIONS AND METHODS FOR DELIVERY OF AN AGENT USING ATTENUATED SALMONELLA CONTAINING PHAGE, U.S. Serial No. 10/790,586, Filed March 1, 2004

THE INFORMATION CONTAINED IN THIS FACSIMILE TRANSMISSION IS INTENDED SOLELY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENT(S) NAMED ABOVE. THIS TRANSMISSION MAY CONTAIN INFORMATION THAT IS CONFIDENTIAL UNDER THE CLIENT AND ATTORNEY RELATIONSHIP. IF THE READER OF THIS MESSAGE IS NOT A DESIGNATED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO A DESIGNATED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISTRIBUTION, OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, OR IF UPON READING THIS DOCUMENT YOU HAVE REASON TO BELIEVE THAT THE DOCUMENT WAS INADVERTENTLY SENT TO YOU, PLEASE NOTIFY US IMMEDIATELY BY COLLECT TELEPHONE CALL AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

Dkt. #872-A-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : BERMUDEZ, et al.
U.S. Serial No.: 10/790,586 Examiner: Vogel, Nancy
Art Unit:1636
Filed : March 1, 2004
For : COMPOSITIONS AND METHODS FOR DELIVERY OF
AN AGENT USING ATTENUATED SALMONELLA
CONTAINING PHAGE

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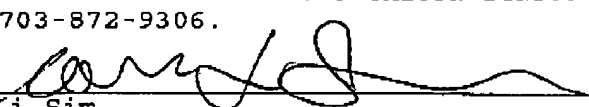
January 7, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

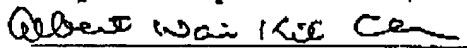
Sir:

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8(a)
IN CONNECTION WITH THE ABOVE-IDENTIFIED APPLICATION

I hereby certify that this Correspondence is being: Transmitted by
facsimile on the date shown above to the United States Patent and
Trademark Office at 703-872-9306.


Printed Name: Woo Li Sim

Respectfully submitted,


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January 7, 2005

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Alexandria, VA 22313-1450

COMMUNICATION IN RESPONSE TO JANUARY 4, 2005
NOTICE OF NON-COMPLIANT AMENDMENT

Applicants file this Communication in response to the January 4, 2005 Notice of Non-Compliant Amendment that was issued by the United States Patent and Trademark Office (USPTO) in connection with the above-identified application. The deadline to file a response to the January 4, 2005 Notice of Non-Compliant Amendment is February 4, 2005. Accordingly, this Communication is being timely filed.

Amendments to the claims:

Please cancel claims 1-9 and 11-18 without prejudice to the Applicants' rights to pursue the subject matters in a future application, and add new claims 25-43.